

REMARKS/ARGUMENTS

Claims 27, 29 and 58-69 are pending in this application. By this Amendment, claim 27 is amended, claims 28 and 30-57 are cancelled without prejudice or disclaimer and claims 58-69 are added. Support for the new claims can be found in the specification including the original claims and Figures 1-8. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

A. The Office Action rejects claims 27-29 under obviousness-type double patenting over claim 22 of U.S. Patent No. 6,675,008. The rejection is respectfully traversed.

Applicants respectfully submit that claims 27-29 in the present application are not obvious over claim 22 of U.S. Patent No. 6,675,008. Notwithstanding that many of the claims in the present application recite features not recited in claim 22 of U.S. Patent No. 6,675,008 and to expedite prosecution, Applicants enclose a Terminal Disclaimer. It is respectfully submitted that the Terminal Disclaimer is sufficient to overcome the double patenting rejection. Withdrawal of the rejection of claims 27-29 under obviousness-type double patenting is respectfully requested.

B. The Office Action rejects claim 27 under 35 U.S.C. §102(b) over U.S. Patent No. 5,073,927 to Grube et al. (hereafter "Grube"). The Office Action further rejects

claims 28-29 under 35 U.S.C. §103(a) over Grube and U.S. Patent No. 5,761,279 to Bierman et al. (hereafter "Bierman"). The rejections are respectfully traversed.

Claim 27 recites a caller identifier detecting unit which detects a caller identifier from an input data and receives caller information transmitted along a radio channel to a mobile terminal in a mobile communication system if the caller identifier correspond to its own caller identifier, and wherein the caller information includes picture information transmitted along the radio channel and combinations thereof as recited. Applicants respectfully submit that the Grube and Bierman patents do not teach or suggest a mobile terminal of this type whether those references are taken alone or in combination.

The Office Action admits Grube fails to teach transmitting the picture information included in the caller ID. See page 6, Item 10 of the Office Action. To make up for the deficiencies in the Grube patent, the Bierman patent was cited.

The Bierman patent does not teach or suggest a caller identifier detecting unit in a mobile communication system that detects a caller identifier from an input data and receives caller information transmitted along a radio channel if the caller identifier corresponds to its own caller identifier, wherein the caller information includes picture information transmitted along the radio channel and combinations thereof as recited. In Bierman, all communications occur in a wired-telephone system, e.g., PSTN. Bierman

does not teach or suggest modifying a caller identifier detecting unit in a mobile communication system that receives caller information transmitted along the radio channel, wherein the caller information includes picture information and combinations thereof as recited. Further, Applicants respectfully submit that Bierman does not teach or suggest any modifications to its disclosure that would result in such recited features and thus, fails to provide evidence that one of ordinary skill in the art would have been motivated to make the modifications to a mobile communication system as asserted by the Office Action at the time the claimed invention was made.

For at least the reasons set forth above, Applicants respectfully submit claim 27 defines patentable subject matter. Claim 29 depends from claim 27 and therefore also defines patentable subject matter for at least that reason as well as the additionally recited features. Claim 28 is cancelled without prejudice or disclaimer.

C. Claims 58-69 are newly added by this Amendment and believed to be in condition for allowance.

### CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

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If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carl R. Wesolowski**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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Enclosure: Terminal Disclaimer

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